

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	20-03439
)	
Francia Small,)	Chapter 13
)	
Debtor(s).)	Hon. Judge Jack B. Schmetterer

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on January 6, 2021, at 10:00 a.m. I will appear before the Honorable Judge Jack B. Schmetterer, or any judge sitting in that judge's place, and present Debtors' Motion to Modify Plan, a copy of which is attached.

This motion will be presented and heard telephonically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must call in to the hearing using the following information-Toll Free Number : 1-877-366-1839; Access Code: 3900709.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Movant(s): Francia Small
By: Michael R. Colter, II
David M. Siegel & Assoc., LLC
790 Chaddick Drive
Wheeling, IL 60090
(847) 520-8100
mcolter@davidmsiegel.com

CERTIFICATE OF SERVICE

I, Michael R. Colter, II, certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on December 2, 2020, before 5:30 p.m.

To the following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov

Tom Vaughn, Chapter 13 Trustee: chiweb@tvch13.net

To the following persons or entities who have been served via U.S. Mail:

Francia Small
7604 S. Hoyne Avenue
Chicago, IL 60620

Santander Consumer USA Inc.
P.O. Box 961245
Fort Worth, TX 76161

Portfolio Recovery Associates, LLC
c/o Capital One Bank (U.S.A.), N.A.
P.O. Box 41067
Norfolk VA 23541

Intercoastal Equity, LLC
P.O. Box 417
Sugar Grove, Illinois 60554

Intercoastal Equity
Attn: Paul Bach
P.O. Box 1285
Northbrook, IL 60065

Cook County Clerk
118 N. Clark St., #434
Chicago, IL 60602

Cook County Treasurer
118 N. Clark St., Unit 112
Chicago, IL 60602

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MOTION TO MODIFY PLAN

NOW COMES the Debtor, **Francia Small**, by and through their attorney, David M. Siegel & Associates, LLC, to present this Motion, and in support thereof states as follows:

- 1) This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and Internal Operating Procedure 15(a) of the U.S. District Court for the Northern District of Illinois.
- 2) On February 6, 2020, Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 USC and Tom Vaughn was appointed Trustee.
- 3) Debtor's Plan was confirmed on June 19, 2019, but confirmation was vacated by the Order entered at document number 47 on September 30, 2020.
- 4) Debtor filed an amended plan with a monthly payment of \$450.00 per month. The amended Plan is likely to be confirmed once the default is dealt with.
- 5) Debtor seeks to modify their plan under § 1329 and defer the current default. Deferring the current default will allow the Debtor to reorganize her debt and pay creditors.

WHEREFORE, the Debtor, **Francia Small**, prays that this Honorable Court enter an Order Modifying Debtor's Chapter 13 Plan and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Michael R. Colter, II
Michael R. Colter, II, A.R.D.C. #6304675
Attorney for the Debtor